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Attorneys for Plaintiff, Michael Moody

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL MOODY,

Plaintiff,

v.

LIBERTY LIFE ASSURANCE COMPANY
 OF BOSTON, LIBERTY MUTUAL
 GROUP, THE SYNOPSIS, INC. GROUP
 DISABILITY INCOME PLAN, AND
 DOES 1 through 20, inclusive

Defendants.

Case No. 07-01017 MJJ

**STIPULATION AND [PROPOSED]
 ORDER DISMISSING
 DEFENDANT LIBERTY MUTUAL
 GROUP, INC. dba LIBERTY
 MUTUAL GROUP;
 WITHDRAWING OF
 DEFENDANTS' MOTION TO
 DISMISS**

IT IS HEREBY STIPULATED by and between plaintiff MICHAEL MOODY,
 through his counsel, and defendants LIBERTY LIFE ASSURANCE COMPANY
 OF BOSTON ("LIBERTY LIFE") and LIBERTY MUTUAL GROUP, INC. dba
 LIBERTY MUTUAL GROUP ("LIBERTY MUTUAL"), through their counsel, that:

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1 1) Defendant LIBERTY LIFE will not, at any point now or in the future,
2 contest or otherwise challenge its inclusion as a named defendant in this action;
3

4 2) Defendant LIBERTY LIFE will be liable for any judgment concerning
5 the payment or nonpayment of long term disability benefits, interest, attorney's
6 fees and/or disability benefits that may result from this action;
7

8 3) Plaintiff MICHAEL MOODY hereby dismisses from this action
9 defendant LIBERTY MUTUAL.
10

11 4) Defendant LIBERTY LIFE hereby withdraws its Motion to Dismiss
12 currently pending.
13

14 Dated: July 5, 2007

PILLSBURY & LEVINSON, LLP

16 By: _____/s/_____
17 David M. Lilienstein
18 Attorneys for Plaintiff,
19 Michael Moody

20 Dated: _____

ROPERS, MAJESKI, KOHN & BENTLEY

22 By: _____
23 Attorneys for Defendant,
24 Liberty Life Assurance Company of
25 Boston, Liberty Mutual Group, Inc. dba
26 Liberty Mutual Group
27
28

2) Defendant LIBERTY LIFE agrees it will be liable for any judgment concerning the payment or nonpayment of long term disability benefits, interest, attorney's fees, if any, that may be awarded in this action;

3) Plaintiff MICHAEL MOODY hereby dismisses with prejudice from this action defendant LIBERTY MUTUAL.

4) Defendant LIBERTY LIFE hereby withdraws its Motion to Dismiss currently pending.

Dated: July 5, 2007

PILLSBURY & LEVINSON, LLP

By: /s/
David M. Lilienstein
Attorneys for Plaintiff,
Michael Moody

Dated: July 6, 2007

ROPERS, MAJESKI, KOHN & BENTLEY

By: Harlyn C. Cury
Attorneys for Defendant,
Liberty Life Assurance Company of
Boston, Liberty Mutual Group, Inc. dba
Liberty Mutual Group

ORDER

IT IS SO ORDERED.

Dated 7/6/2007


JUDGE OF THE UNITED STATES
DISTRICT COURT